



Commission on Improving the Status of Children in Indiana

Meeting Minutes

Commission on Improving the Status of Children in Indiana

Wednesday, December 15, 2021

Government Center South, Conference Room B

- Christine Blessinger, Director, Division of Youth Services, Department of Correction
- Dr. Kris Box, Indiana State Health Commissioner, Indiana State Department of Health
- Senator Jean Breaux
- Jay Chaudhary, Director, Division of Mental Health and Addiction
- Bernice Corley, Executive Director, Public Defender Council
- Representative Dale DeVon
- Senator Stacey Donato
- Justin Forkner, Chief Administrative Officer, Indiana Office of Judicial Administration
- Kory George, Chief Probation Officer, Wayne County Probation Department
- John Hammond IV, Office of the Governor
- Zac Jackson, Director, State Budget Agency
- Dr. Katie Jenner, Secretary of Education
- Stephaney Knight
- Chris Naylor, Executive Director, Indiana Prosecuting Attorneys Council
- Dejana Rodriguez
- Todd Rokita, Indiana Attorney General (non-voting member)
- Hon. Loretta Rush, Chief Justice of Indiana
- Dr. Dan Rusyniak, M.D., Secretary, Indiana Family and Social Services Administration
- Terry Stigdon, Director, Indiana Department of Child Services
- Representative Vanessa Summers

1. Welcome and Introductions

John Hammond called the meeting to order at 10:00 and welcomed all Commission members and guests.

2. Consent Agenda

Action: The consent agenda, including minutes from the October meeting, was moved by Zac Jackson and seconded by Terry Stigdon. The motion was approved by a vote of 10-0. A second motion was made to confirm the appointment of Dr. Gina Forrest as the [recommended co-chair](#) for the Equity, Inclusion and Cultural Competence Committee. The motion was moved by Justin Forkner and seconded by Dr. Kris Box. The motion was approved by a vote of 11-0.

3. Executive Director and Committee Updates

Julie Whitman provided information on [Procedures for Remote Participation in Commission, Task Force and Committee Meetings](#). Julie summarized the remote participation procedures that will be in place for the future of each group. Chief Justice Rush asked for looser requirements regarding remote participation for the Task Force meetings and members. Chief Justice posed that Task Force members should be able to decide on a policy that would allow more flexibility. Julie will find out if a flexibility modification is allowed and report back to the group. Julie will plan to create a modification to the policy to reflect procedures for Task Force members that are also Commission members. John Hammond made a motion to approve the policy for procedures on remote participation for the Commission and the motion was adopted by a vote of 11-0. Procedures for remote participation for Task Force and Committee members will occur at a later date once more information is gathered to determine if flexibility will be allowed. Next, Julie presented a brief overview of the [CISC Evaluation Plan](#) to have an evaluator look at the Commission. The goal is to evaluate the impact and effectiveness of the CISC. The evaluator is made possible by funding from Casey Family Programs.

4. Strategic Priority: Juvenile Justice and Cross-System Youth

a. **Presentation by Honorable Heather Mollo, Senior Judge
Update on Dual Status Implementation**

The presentation can be found on slides 5-19 of the meeting [Power Point](#). Judge Mollo presented information and highlighted what defines dual status youth, as defined on slide 6 of the [Power Point](#) and according to [Indiana Code](#). Judge Mollo discussed how creating more collaboration within systems the state will hopefully be able to see better outcomes for dual status youth. Slide 11 of the [Power Point](#) outlines indicators of successful outcomes. Success outcomes will come from reports that Probation and DCS will complete for Dual Status Youth. DCS is currently undergoing a software system transformation, therefore dual-status data is not yet being collected. Once they are done, the goal is to be able to track their data along with probation in order to have a better understanding of Dual Status cases. To address the lack of data Judge Mollo informed the group of what will be done to ensure that dual status will be identified as outlined on slide 19 of the [Power Point](#). The [Dual Status Resource Guide](#) was also updated on how to complete documentation to reflect dual status. The goal is to have ongoing dual status training to make sure those children are being tracked and effectively served by courts, DCS, and probation.

Discussion: Representative DeVon asked which counties participated in the pilot project. Judge Mollo informed him the project included Tippecanoe, Elkhart, Allen, Clark, and Henry Counties. John Hammond asked about Dual Status training that is provided and if it was available now to agencies that need it. Judge Mollo responded that training materials are fully developed and have been used in the most recent training. Terry Stigdon mentioned that several counties have a DCS caseworker that only focuses on dual status youth and if it would be helpful, DCS could have those individuals work with Judge Mollo on completing the screening. Judge Mollo agreed that it would be helpful to work with those that are specifically working with dual status youth. Judge Mollo explained the process of what happens once that child is identified, and members of both agencies come together and make decisions about that child. Chief Justice Rush suggested that the Dual Status group work with the group that is working with the Juvenile Justice Reform Task Force. Chief Justice spoke to the importance of overall system reform in place of focusing on specific departments. Judge Mollo agreed with the Chief Justice. Judge Mollo asked when DCS would be done with the software update. Director Stigdon responded that the hope is for the software systems to be completed by the end of 2022, possibly 2023.

**b. Presentation by Nina Salomon, Council of State Governments (CSG) Justice Center
Data Findings**

Presentation: Presentation can be found on slides 21-42 of the meeting [Power Point](#). Nina began the presentation by providing historical information of how CSG and the Juvenile Justice Reform Task Force worked together to assess data, outcomes, and priorities of the Juvenile Justice system. Nina spoke about the challenges discovered as a result of the preliminary assessment, specific duties and tasks of the Task Force and how their work contributed to collecting data from available data systems and the timeline of data. Nina informed the Commission of the purpose and leaders of each working group in the Task Force and reviewed the key findings of workgroups. Nina highlighted data findings that showed inconsistencies in service delivery, racial/ethnic disparities, detention reasoning, and statewide differences in resolutions based on status offenses of juveniles. Nina reviewed in some counties that children are solely sent to DOC for diagnostic testing. Nina explained the risk factors associated with housing children without separation based on offenses. Nina reviewed the findings related to programs and funding targeted towards juveniles and their impact on youth. Nina explained how the data reflects a lack of quality assurance in services provided that are funded by state dollars.

Discussion: John Hammond requested that Nina provide a brief overview of the background information due to the diversity among the Commission in which agencies they work in. Nina provided information and then began her presentation. John Hammond asked if all data collected were only within the 12 counties that use Quest, Nina clarified which data was collected utilizing Quest and which data was collected from statewide systems. Director Stigdon asked what was suspended commitment. Nina stated it is kids that are adjudicated to probation supervision with the potential of being committed if they violate probation. John Hammond asked why counties were using the diversion tool after decisions were made and what exists now since a diversion tool is meant to use prior to making decisions for youth. John asked if counties explained why the diversion tool was being used after the fact. Nina explained how diversion tools were being used in half the counties where they had the data or weren't being used at all in the other half of the counties. Nina stated the reason given in the interviews and focus groups reflected they did not have a pre-court diversion option and were using the tool once a kid was on informal adjustment to show the level of supervision they needed while on informal adjustment. Nina explained a diversion tool was not used to impact judicial decision making, but only used by probation to inform what supervision would be for a child. Chief Justice explained the differences and multiple courts in the juvenile system. Nina clarified that screening tools were used on half the kids not half the counties. Senator Breaux asked about the key findings related to youth of color and if it was known if their disparities varied based on the level of offense. Nina said that kind of analysis was not done due to time limitations and individual factors would have had to be isolated in order to collect that data. Dr. Dan asked what the diversity makeup of the Quest counties is. Nina stated that rural and urban counties were part of the Quest system, but the data did skew towards showing more children of color due to more children of color being in the juvenile justice system than in the population. Chief Justice spoke to the efficiency of the testing provided by DOC and asked for clarification from Christine about separation at IDOC Logansport facility during Nina's presentation about diagnostic testing being performed by DOC as a sole reason for detaining children. Christine stated the children were not separated due to the layout of the building. Chief Justice went on to explain why and what factors are contributing to DOC providing diagnostic testing and assessment services in communities. Nina stated that recommendations will reflect how to begin to address how to meet the needs of the community when a diagnostic test is needed. Chief Justice explained that the same process is reflected in the adult criminal system as well. Christine stated the reports are done in 14 days and communities value them. Nina agreed the counties stated the assessments are quality. Director Stigdon clarified and defined how DCS funding is used for residential care. Director Stigdon gave statistics on data that reflected a decrease in residential care. Director Stigdon asked were the recommendations focused on status offenders or misdemeanor offenses. Nina stated recommendations are system-level recommendations not specific to populations of children, but to improve the juvenile justice system overall. Dr. Dan asked if longitudinal data was available for the state showing trends. Nina informed that they looked at 5 years of data and overall criminal activity is decreasing across

the United States. Representative Summers stated that although improvement is occurring it is not going down for children of color. Nina agreed that overall, the juvenile justice system is shrinking, but not disparities for children of color. Kory asked if there were any efforts to divert children from arrest. Nina stated that it was discussed and presently schools and law enforcement have that ability already and can expand it. Representative DeVon asked what years the data included, Nina informed him it was 2015-2019. Dr. Dan asked how Indiana has declined compared to others. Nina stated she did not know. Nina will get data to Dr. Dan. Chief Justice and Christine informed Dr. Dan that data was available and shared some of it with him.

C. Presentation by Representative Wendy McNamara, Co-Chair, Juvenile Justice Reform Task Force

Policy Recommendations for Juvenile Justice Reform

Presentation: Presentation can be found on slides 33-42 of the meeting [Power Point](#). Rep McNamara presented the system reform recommendations based on the findings of the CSG Justice Center. John Hammond thanked Rep. McNamara for her work on the task force and dedication to children. Rep. McNamara gave a background on how she met Nina. Representative McNamara discussed the data availability challenges for this project. Representative McNamara gave a summary of the JJRTF meeting on 12/14/21 and how they concluded on the legislative recommendations. Rep. McNamara stated the project began in September 2020 and who received information on the project directly from the Task Force throughout the process. Rep McNamara discussed the overall goal is to improve community outcomes and safety for youth across all 92 counties with the same policies for all children in juvenile justice. Rep. McNamara explained how each recommendation has a different timeline. JDAI counties should be able to start on recommendations sooner than others. Rep. McNamara's expected timeline for implementation of the recommendations across all counties is projected for 2024-2028. 2022 will lay the structure and policy and 2023 will be budgeting with an effective date of 12/1/23 to begin the process of implementing recommendations. Rep. McNamara explained each (4) recommendations related to diversion and supervision. Rep Breaux asked about how consistency in policy across the state will occur if decisions are left to counties. Rep. McNamara explained that although each county will have discretion on how they implement recommendations it will be subject to using specific resources and community input. Chief Justice Rush explained how the screening tools currently in use are used and customized by the community. Dr. Dan asked who will oversee juvenile justice data based on past challenges. Chief Justice shared that a new data system, Odyssey, was now in place to collect that data. Kory talked about the process of diversion and how it can vary. Rep. Breaux stated what she thought what diversion was. Chief Justice discussed the various levels and layers of diversion. John asked what mechanism was going to be used to create statewide definitions as it relates to diversion and supervision. Rep. McNamara responded by saying the plan is to create a probation task force to define juvenile justice terms across the state, later Rep. McNamara discussed other possible responsibilities of the task force. Rep. McNamara highlighted removing fees and the outstanding balance of assigned but uncollected fees. Rep. McNamara reviewed the four out-of-home placement recommendations. The goal of those recommendations is to have more evidence-based practice used during decision making. Representative Breaux asked if there could be an oversight group to supervise what is done locally to ensure consistency. Rep. McNamara explained that the task force will serve as that entity. Chris Naylor explained that there will be built in overrides in the system to make sure things are being done correctly. Rep. DeVon asked about recommendation 2 as it relates to setting an age limit on secure detention. Rep. McNamara explained there was nothing in statute and judges make the decision. Rep. McNamara stated that the plan with the recommendations is to change the methodology of the juvenile justice system not the structure. Rep. McNamara highlighted the issues with sending youth to DOC solely for a diagnostic assessment. Christine asked what the criteria would be to get a diagnostic assessment from DOC. Rep. McNamara explained that the goal would be to create other resources in the community in place of going to the DOC and using the DOC as the last resort based on criteria. Rep. McNamara discussed the reintegration of juveniles as a focus of the planned probation task force. Rep. McNamara discussed the

Data Recommendations and its timeline. Next, Rep. McNamara discussed the Funding and Service Recommendations. Rep. Summers asked about how predictive data analysis will affect children of color. Director Stigdon stated that is the case in child welfare and it requires agencies to be careful on which screening tool is used for predictability. Rep. McNamara said it was just a suggestion from a task force member and not a recommendation. Julie confirmed it is not in the recommendations. Rep. McNamara went on to explain the rest of the funding and service Recommendations and how funding will apply to each county. Rep. McNamara said if all recommendations are made over time the state should see a decrease in children entering the juvenile justice system, decreased recidivism, better outcomes for youth and better outcomes at the adult level.

Discussion: Director Stigdon asked what the plan was for current programming that is already in place. Rep. McNamara said the plan is to keep programs in place that are working and to adjust them to the recommendations only if needed. John asked if the current recommendations are in place to fill in gaps in the current system with new resources. John asked if the funding would come from the 2023 budget in order to set up the process of implementing the proposed changes. Rep. McNamara stated that there is discussion needed on what funding is being spent already, however data is needed to make those determinations. Rep. McNamara reflected on the current budget that DCS has as a baseline to know how much money is needed to begin making changes. However, she stated she could not give a specific dollar amount due to the lack of data. John responded saying the goal is to get increased resources in counties that do not have services. John asked how that works in regard to counties being able to meet the needs of the community and youth based on recommendations without funding sources. Rep. McNamara is hoping that grants will cover costs that individual counties do not have internally or from DOC. Christine stated that essentially counties would be forced to work with DOC to come up with reintegration plans, Rep. McNamara responded yes. Chief Justice asked what will happen to DOC parole. Christine stated that adult and juvenile parole are together and wouldn't require any changes. Rep. McNamara said they will use the probation task force to answer questions as they come up. Rep. McNamara stated throughout this process of evaluation it was discovered there is no real consistent system in place for juveniles to re-enter the community no matter where in the state they live. Kory asked were there conversations related to capacity and resources for probation officers as they navigate recommendations. Rep. McNamara stated she could not answer since those recommendations came from a working group. Rep. McNamara stated that could be included if needed. Rep. DeVon asked are the grants the task forces were recommending based on state and county facilities alike or are they only focused on the DOC state side. Rep. McNamara stated each grant has a different agenda and provided examples. Rep. DeVon stated his question was related to his work to eliminate boot camps and what he hopes to do with state facilities. Rep. McNamara stated whether it's county or state the recommendations would work on any level. Rep. McNamara thanked all those involved in creating and working on recommendations.

Action: Terry Stigdon made a motion Chief Justice second the motion. Task Force Recommendations were approved by a vote of 15-0.

5. Discussion: Future Meeting Topics or other items from Commission Members
None

6. Next Meeting:
February 23, 2022, at Indiana State Library, History Reference Room

The meeting was adjourned at 11:46am